

MARCH 6, 2025

The Clarksburg City Council met in REGULAR SESSION on Thursday,
March 6, 2025 at 6:00 p.m. at the Clarksburg Municipal Building –
Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with
Mayor Malfregeot presiding.

PRESENT:

Councilmember Ryan Deems
Councilmember Will Hyman
Councilmember Marc Jackson
Councilmember Wayne Worth
Vice Mayor Jerry Riffle
Mayor Jim Malfregeot

ALSO PRESENT:

Tiffany Fell, City Manager
Richard Marsh, City Attorney
Annette Wright, City Clerk

ABSENT:

Councilmember Martin Howe

- 1) Roll Call
- 2) Prayer & Pledge – given by Councilmember Worth
- 3) Recognition – The WI Boys Basketball Team was recognized for the Mid Mountain 10 Conference Championship title with Mayor Malfregeot and Vice Mayor Riffle presenting the coaches and team members with a "Certificate of Recognition."
- 4) **Motion** by Councilmember Worth, **Seconded** by Councilmember Hyman for approval of the minutes of the conference session of Council held on February 13, 2025. **Motion Approved Unanimously.**

Motion by Councilmember Hyman, **Seconded** by Councilmember Worth for approval of the minutes of the regular session of Council held on February 20, 2025. **Motion Approved Unanimously.**

Motion by Councilmember Worth, **Seconded** by Councilmember Jackson for approval of the minutes of the conference session of Council held on February 20, 2025. **Motion Approved Unanimously.**

- 5) Petitions, Communications, and Public Hearings:

Marilyn Blake – appeared before Council concerning the Tree of Heaven and Lantern Fly invasion. Ms. Blake informed that she owns seven properties in the City that contain this invasion which needs to be addressed. Ms. Blake also inquired about the steps located across from A.B. Cody's stating that the use of the steps onto property that she owns would be trespassing.

James Watson, WV Department of Agriculture – informed that there is a satellite population of lantern flies in the city and that the Tree of Heaven serves as a host therefor. Mr. Watson stated that he would like to enter into an agreement with the City for permission to treat these species.

6) Manager's Report:

City Manager's Report
March 6th, 2025
Submitted by Tiffany Fell

City Parks
<p>VA PARK –</p> <ul style="list-style-type: none"> • Getting equipment ready for the cutting season. Tractor / Mowers / Small Engine getting cleaned, prepped, and ready for the spring. • Splash Zone installed a new Weather/Lightning detection system for April delivery. • The Pool Slide will be serviced in March. Gel Coating, Sealant, and replacement pieces (if needed) will ensure that the slides are safe and useable prior to state inspection. <p>Amphitheater</p> <ul style="list-style-type: none"> • Concert Releases for Music in the Park at the City Parks of Clarksburg Amphitheater includes Totally 80s on June 7th and Byron Cooper and the Flight 66 Band on August 2nd. Both concerts are free of charge. To Date – Gavin Adcock, We The Kingdom and Yacht Rock Revue are the ticketed events under contract. More information can be found under the Amp's webpage. • The John Cooper stage sign will be installed this spring with a formal announcement on the day to be named later. • The team has offers for three other ticketed shows which will be released when under contract. <p>Splash Zone / Mini Golf</p> <ul style="list-style-type: none"> • Rec Coordinator seeking the hire of all staff at the Splash Zone this year – Lifeguards, Maintenance and Concessions are the three major P-T hires needed. If interested, please contact Joe Marple at the Parks office. • We are continuing to make upgrades to Concessions including changes to the menu, a better floor plan for the food service, cameras, and a sign above the entrance. <p>Clarksburg City Park</p> <ul style="list-style-type: none"> • May 10 – The North Central WV Collectibles show will be hosted at the Indoor Facility at the Park. Vendors of all kinds (personal / small businesses) are encouraged to come and participate. Sports cards, Comics and both vintage and new toy collectibles are included in the show. • Baseball is in the air as teams from Pony, Little League up through College are using the fields for practice/play. Soccer will be gearing up for its spring season as well. • June 6-7-8 – Pickin' in the Park. Working along with the city-wide community yard sale with Nutter Fort – families will be able to use space at the park to sell their items while people will be able to walk the trail, shop and enjoy the park as summer begins. • The maintenance staff is working on small engine repairs and some mower maintenance in order to get through 2025 cutting season.
Code Enforcement
<ul style="list-style-type: none"> • <u>Condemnation/Demo</u> <ul style="list-style-type: none"> o Received price quote for 2 additional structures o Presented prices to council o Demo Projects started • <u>Grant work</u> <ul style="list-style-type: none"> o Splash Pad Grant work o Discussing with DOH about Rail Trail Grant and Bike Trail Grant o Compiling paperwork for Demo Grant • <u>Sanitary Board</u> <ul style="list-style-type: none"> o Board Meeting o Progress meeting concerning Main St and Pike St Project • <u>Meetings</u> <ul style="list-style-type: none"> o Council o Traffic Commission o Internal Staff meetings o Meeting about building permits

- o Cloudpermit training
- o LRA agenda and meeting
- o URA Meeting
- o Reviewed Parking Kiosk proposals
- General Code
 - o Building Permit – 65
 - o Total Job Cost - \$14,627,526
 - o Fees Collected - \$13,491
 - o Notice of Violations – 321
 - o Citations – 1
 - o Municipal Court Cases -0
 - o Condemnation Orders – 9
 - o Boarding and Securing Orders – 5
 - o Demolition Orders - 0
 - o CAD Complaints – 3
 - o Residential Construction Inspections – 143
 - o Commercial Construction Inspections – 0
 - o Rental Property Inspections – 120
 - o Commercial Inspections - 3
- Animal Control Officer - Matt Wilfong
 - o Dog -Running-At-Large Calls – 0
 - o Dog Bite Cases – 0
 - o Dog Barking Complaints – 0
 - o Road Killed Animals 0
 - o Animal Neglect Calls – 0
 - o Lost Dog Complaints - 0
 - o Trapped / Removed Cats – 3
 - o Animals to HCAC – 4
 - o Processed 269 Code Enforcement – Rental Notice of Violations
 - o Processed 0 Animal Code Notice of Violations
- Other
 - o All Inspectors – Keeping Daily Logs / Reviewed Each Week.
 - o All Vacant / Condemned Properties Checked Weekly.
 - o 6 Newly Condemned Structures
 - o 3 Condemned houses being renovated
 - o 3 junk vehicles tagged
 - o 120 Certificates of Occupancy
 - o New Work Orders Sent - PW – 0
 - o More NOVs In-Process.
 - o Continued Reviewing Rental files for compliance
 - o MS4 Samples, annual report
 - o 6 individuals removed from condemned houses.
 - o 2 FOIA Requests
 - o Fire burnt structures
 - o Checked homeless encampments removed 3 people

Finance Department

- B&O Taxes \$89,785.04
- Hotel Tax \$15,126.74
- License Fees & Penalties \$906.17
- Police Citations - \$8,352.64
- Dog Tax from Assessor \$67.50
- Use & Occupancy Fees \$1,430
- Building Permit Fees \$14,408
- Miscellaneous Permit Fees \$0
- Compost Center Fees \$0
- Payment Agreements \$2,351.39
- Late Payment Penalty \$0
- Vacant Property Registration Fees \$1,950

- Grass/Weeds/Garbage Removal - \$2,700
- BOCA Fines - \$0
- Board Ups - \$200
- Electrical Inspection Fees - \$0
- Fire Service Fees - \$25,072.56
- Fire Service Fee Lien Payments - \$4,280.51
- Planning Commission Fees - \$0
- Sale of Accident Reports - \$1,520
- Demolition Revenue - \$5,074.92
- Burn Permit Fees - \$40
- Response & Rescue Billing - \$6,600
- Fingerprinting - \$0
- Animal Control Trap Fee - \$0
- Donations \$0

Tetrick & Bartlett, PLLC continues work on the FY 2023-2024 Audit and plans completion by the end of March 2025.

Employee Appreciation Day is Friday, March 7th. The Finance Department will celebrate their employees for the great job they do all year!

Fire Department

- responded to a total of 298 service calls for the month of February
- one fire that was on Milford St that was out of the city
- East End Fire Engine was received on Friday Feb.28th

Grants & Community Development

- Working to support a Farmer's Market downtown. Met with two potential businesses seeking to do agricultural training and outreach as part of a Farmer's Market initiative.
- Worked with Finance during Executive Order stay on funding hiatus to draw the CDS funding for the Police Department grant.
- Completed the quarterly reports for the Fire Department AFG funding. Submitted request for change of scope for remaining funds for AFG funding for RIT packs.
- Completed the acceptance of the Fire Department CDS award application prior to Executive Order freeze. Received notice and meeting request for next steps as the CDS has now been assigned to Pittsburgh office.
- Worked with Finance and County to extend DOJ Cops eBike award for closure. Awaiting county documentation to complete this project.
- DOJ Cops Staffing award reports filed and current. Cannot draw funds due to staffing.
- Benedum Foundation Born and Bred Award closed in good standing (huge thank you to Finance).
- Completed USDA Tubgrinder progress reports with Finance. Will schedule outreach with partners for spring in accordance with award.
- Environmental study scheduled for Brownfield Grant for revitalization project.
- Worked with Finance to continue progress on CDS 24 awards and delays due to Executive Order stay.
- Followed up with several state and federal entities on previous applications for status updates.
- Supported partnership with two new eateries in historic downtown. Country Kitchen has now been completely gutted and awaiting transfer paperwork for next steps including work permits, ect.
- Notified of new business development to Emily Drive- Suntan in Buff Soap location.
- Met with two developers interested in vacant buildings downtown. Coordinated introduction with several building owners and new businesses seeking space.
- Completed Budget request with Finance and City Manager.
- Identified several funding opportunities for partnering social service programs.
- Identified funding opportunities to further Parks initiative.

- Continuing to work with VA official to establish partnership to further both Parks and Downtown initiatives.
- Met with the Library Interim Director and staff to discuss needed funding and Waldomore issues. "Needs List" estimated at \$2.4M. Provided report to City Manager. Many identified needs will be directed to Public Works.
- Met with local business owner to discuss TIF District, funding opportunities, and other issues (i.e. parking, noise, incentives, business development for vacant space). Provided resources and will continue to support growth and development.
- Met with Brownsfield experts to pursue funding. Completed Environmental assessment of major redevelopment project.
- Worked on documentation and coordination of redevelopment economic development plan for investment in redevelopment- Worked with Tom Aman and Richard Marsh.
- Attended event for Chamber of Commerce Economic Development luncheon.
- Met with Senator's representatives to discuss initiatives and support for revitalization efforts.
- Met with developers for projects in Rosebud and Glen Elk.
- Initiated the ARC Inspire Application with contact through the State Representative. LOI submitted and both projects were not within current priorities. Advised to reconsider and pursue other funding streams.
- Continued development of several projects to support revitalization of downtown and further community support initiatives.

Meetings & Updates

- MOU with Head Start signed for partnering on redevelopment project and community engagement initiatives. Working with Headstart regarding funding for projects.
- Worked with Parks to develop "Christmas Walk" initiative and funding requests.
- Attended training sponsored by HCEDC for Brownfield projects. Attended HCEDC Brownfield Steering Committee meeting.
- Met with Pierpont and provided MOU for internships and projects for growth of initiatives within Clarksburg.- Will provide copy to council upon receipt.
- Met with History Museum to support funding opportunities and continued partnerships for the advancement of historic redevelopment/revitalization funding.
- Continuing to identify needs lists from each department to provide ongoing support.
- Notified that Foundant was retiring services for grant management software in January 2026. Will utilize all aspects of service until then. Will continue to work to identify reasonably priced software for grant continuity.
- Met with marketing and website design companies for redevelopment of City website and marketing efforts.
- Developing drafts of Community Engagement Plan, Beautification Plan, Social Services Plan, and Cultural and Arts Designations.

Imminent

- Updates for Council regarding awards and funding.
- Continue working to identify funding and to support active projects.
- Continue working with community to engage and support community initiatives.
- Continue to support Department Directors in funding identification, requests, and management of funding projects.
- Continue to support the advancement of City of Clarksburg's growth and development.

CDS List for 2026 Requests

350k for Park upgrades- Kayak launch, ADA upgrades, and exercise area

350k for Police Range Training Center and Upgrades

350k for Public Works equipment, vehicles, and pole building

250k for City of Clarksburg - Hx Museum renovation updates

500k for City of Clarksburg- Waldomore ADA upgrades

1.5M for City of Clarksburg -Smart City, Parking Garage Renovations, updates to City Hall HVAC, and Solar Installation
 250k for City of Clarksburg – Tourism and Economic Development Program to establish Candy Cane Lane on Emily Drive, VA Park, Nutter Fort Park, and through the City
 250k for Fire Department Equipment, gear, training, and wellness program
 200k for RG – Emergency Shelter Designation and Equipment

Foundation and Grant Request Efforts
 Memorial Statues
 Code Training and Equipment
 Arts and Cultural District
 Beautification Efforts
 Historic Building Restoration and Revitalization
 Healthy Community Initiatives
 Resource Hub
 Community Development Initiatives and Projects
 Fire- Training and Equipment
 Police- Training and Equipment
 RG- Programming
 Parks- Upgrades/Programming
 City- HVAC Upgrades
 PW- Vehicles, Parking garage and Equipment

Planning Report

Current Initiatives and Directive Updates

- Met with developers to discuss Glen Elk project.
- Met with developers for two vacant buildings in downtown for potential redevelopment.
- Met with WV Army Corp of Engineers regarding slip project.
- Supported redevelopment project title search/deed issues with State Fire Marshall's office to gain a release for deed hinderances.
- Coordinated environmental testing with Stantek.
- Met with building developer pursuing project for multi unit housing in Glen elk.
- Supported local business to address multiple concerns regarding funding, parking, and noise issues.
- Provided developers zoning and planning information for redevelopment project in progress in Glen Elk.
- Supported efforts with delinquency issues in registration of two businesses in downtown with liens.
- Continued to verify active businesses in Clarksburg against list of all businesses registered through the WVSOS within Clarksburg in person.
- Continued to work with Community Development to support major historic redevelopment projects.
- Met with community, state, and federal POCs regarding funding and redevelopment project support.
- Provided guidance for redevelopment and business recruitment support for Director of Community Development for Rosebud Plaza.
- Addressed redevelopment and project inquiries for current funding process.
- Supported several meetings and business information requests.
- Working with developer regarding TIF district expansion and utilization.
- Supported Finance, Fire, and Community Development with CDS submission issues and narrative conflicts.

Imminent

- Continue to support the redevelopment of downtown.
- Continue working to identify and reconcile business registrations while supporting new business recruitment.
- Continue working with departments (i.e. Code, Community Development, Finance, etc.) to support redevelopment and revitalization initiatives.

<ul style="list-style-type: none"> • Continue to support the advancement of City of Clarksburg's growth and development.
Police Department
<ul style="list-style-type: none"> • New officer Christopher Hesson was sworn in on 03/03/25. • New testing cycle for police department will start on 03/15/25 • Clarksburg Police Department responded to 1595 calls for service in the month of February 2025. • Congratulations to Sgt. Justin Moore for receiving the Meritorious Service award, Patrolman Jaron Morris being named Officer of the Month for January 2025 and Patrolman First Class Brandon Kirkpatrick for receiving the Good Conduct award.
Public Works Department
<ul style="list-style-type: none"> • Repaired and ran camera on the new water line replacement on East Pike St. • Numerous meetings with Thrasher over upcoming projects. • Mine shaft sink hole on Paula Boulevard. • Maintenance to lift stations. • Responded to 23 sewer calls. • 9 camera and line locations. • Cleaned off drainage trough along Temple Terrace. • Cleaned Ditch lines on Cabell Ave, and Winding Way. • Purchased a new sanitary board dump truck for dig up crew. • Purchased a trash pump to bypass manholes for sanitary department. • Repaired manhole and 24in storm line on Barnes Ave. • Replaced 692 Stealey Ave 4 in lateral. • Replace 4 in. lateral at 127 Hall St. • Tied storm line together at 1837 N. 22nd St. • Cleaned the main sewer line on Traction. • Repaired lateral on Trader's Alley that caused sink hole. • Stoneybrooke Road ran camera in storm line. • Responded to 9 Nov's. • Secured 6 vacant properties. • Compost Site is closed, doing winter screening, turning of rows, equipment maintenance. • Sold 0 pounds of processed compost. • Picked up 1300 pounds of yard waste from residents. • Received/processed 5700 pounds of wood waste. • Snow on February 12th, February 17th, and February 21st. • Cleaned and washed/maintenance to salt trucks after storms. • Cleaned around City Hall and surrounding sidewalks from cinders and debris. • Ran sweeper when the weather permitted. • Cold patching potholes in neighborhoods when weather permitted. • Picked up broken areas of blacktop in Adamston area. • Blacktop hot mix plant will begin running on March 3rd. • Started painting Public Works garage and light maintenance. • Spring clean up will be the week of March 24, March 31, and April 7, 2025. • Removed a fallen tree on Liberty Ave that fell against guard rail. • Cut back a fallen tree on Lowndes Hill from roadway. • Cleaned downtown area sidewalks that city is responsible for from cinders and salt. • Replaced 8 LED bulbs on streetlights around downtown area. • Replace a hit streetlight pole at 4th and Clark. • Took down a hit light pole for repairs at Jackson Square entrance on West Pike St. • Replaced 2 burnt out LED lights on traffic signals. • Hooked up generators for planned power outages. • Installed new sign at W. Pike St / N 28th St. • Sign maintenance in Hartland area neighborhood.

<ul style="list-style-type: none"> • Answered 14 after hours pages. • Continued working on budget for the upcoming fiscal year. • Tracks at Life Science Center have been repaired. • Took in over 1,349 phone calls
Robinson Grand Performing Arts
<ul style="list-style-type: none"> • March 1. WV Southern Baptist Youth Conference • March 7. Almost Queen Concert • March 8 & 9. Extreme Talent Showcase Dance Competition • March 10, 11, & 12. High School Musical Rehearsals • March 13 & 14. High School Musical School Performances • March 14, 15, & 16. High School Musical Public Performances • March 20. Jordan Feliz Concert • March 21 & 22. WV Comedy Festival • March 23. Best of Harrison Awards • March 28. School tour and movie • March 29. The Lettermen Concert • March 30. Ernie Haus Concert <p>More info and tickets at: therobinsongrand.com</p>
Wastewater Treatment Plant
<ul style="list-style-type: none"> • We treated approximately 321 million Gallons of wastewater for the month of January. We took in an additional 190,505 gallons of septage. Generated Revenue from all sources \$30,629.15. No Violations to report for the month of February. • Working on 25-25 Sanitary Board Budget. • NPDES Permit 5-year Renewal Application is still under review with the DEP. Currently under its 2nd review. • ERA Testing is taking place in our Lab. • <u>Remind the Public to please not flush baby wipes or flushable wipes down the drains. They do not dissolve and can cause blockages in the Sewer line as well as damage to Pumps.</u>

In conjunction with the City Manager's Report, Mayor Malfregeot suggested that the Clarksburg Amphitheater be named "John Cooper Amphitheater" (not just the stage) in recognition of the late Park Board Superintendent.

7) City Clerk's Information:

- a) Zoning form in connection with an Application to Operate a WVABCA Licensed Class B Establishment filed by Jam Son, LLC dba Clarksburg Price Cutter, 1724 Adams Avenue – returned to applicant on February 21, 2025

8) Unfinished Business:

- a) **Consideration of Second and Final Reading and Public Hearing of an Ordinance Entering into Encroachment Agreement with Central Holdings, L.L.C. Regarding Baltimore Street**

City Clerk Wright announced that notices regarding the public hearing appeared in *The Exponent Telegram* on February 25, 2025 and March 4, 2025. With Mayor Malfregeot declaring the public hearing open and no one appearing therefor, the public hearing was closed.

Motion By: Councilmember Hyman
Seconded By: Councilmember Worth

For approval of the above-captioned ordinance on second and final reading. **Motion Approved Unanimously.**

9) New Business:

- a) **Consideration of First Reading of an Ordinance of the City of Clarksburg to Amend Sections 745.06, 745.13, 745.16, 745.20 and 745.23 of the Business & Taxation Section of the Codified Ordinances**

Motion By: Councilmember Worth

Seconded By: Vice Mayor Riffle

For approval of the above-captioned ordinance on first reading. Discussion was held concerning this ordinance that would allow others (in addition to the Finance Director) to help with collections. **Motion Approved Unanimously.**

- b) **Consideration of First Reading of an Ordinance Amending Sections 1730.02 and 1730.07 of the Vacant Building Registration Program**

Motion By: Vice Mayor Riffle

Seconded By: Councilmember Jackson

For approval of the above-captioned ordinance on first reading. City Manager Fell informed that this ordinance is an incentive to fix or sale the property rather than allow the same to remain vacant. City Attorney Marsh explained the ordinance with Councilmember Deems inquiring as to the number of properties currently on this list. City Manager Fell informed that she would provide this information to Council, as well as the money it generates. **Motion Approved Unanimously.**

- c) **Consideration of First Reading of an Ordinance Amending Section 1707.09 to Modify Requirements for Resurfacing of Excavation of City Streets**

Motion By: Councilmember Hyman

Seconded By: Vice Mayor Riffle

For approval of the above-captioned ordinance on first reading. City Manager Fell explained that the ordinance is being amended wherein 20% rather than the now 30% of the cut or excavated street is impacted must be resurfaced, including milling, etc. Concluding discussion, **Motion Approved Unanimously.**

- d) **Consideration of a Resolution of the City of Clarksburg, West Virginia, Approving Parking Authority of the City of Clarksburg's Contract with Parkeon, Inc. and to Secure Taxable Financing**

Motion By: Vice Mayor Riffle

Seconded By: Councilmember Worth

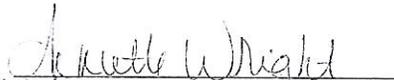
For adoption of the above-captioned resolution. City Manager Fell informed that most of the pay stations at Jackson Square are not working and the proposed new pay stations will accept coins, app or card. Further, City Manager Fell apprised of the option to purchase a fifth pay station for the County's parking lot should they

wish to do so with the County paying their portion therefor. **Motion Approved Unanimously.**

10) Council Comments:

Council Member Deems concurred with Mayor Malfregeot regarding the naming of the amphitheater in recognition and appreciation of the late John Cooper. Councilmember Jackson congratulated the WI Middle School Boys Basketball Team. Councilmember Worth extended his condolences to Mayor Malfregeot and his wife, Brenda, upon the passing of his mother-in-law, recognized the Finance Department for the hard work on the budget, noted the new fire truck that arrived and inquired about the gas explosion on Kramer Drive. City Manager Fell informed that the gas company is still working on their inspection and once completed, she would ask a representative from the company to speak to Council. Vice Mayor Riffle expressed condolences to Steve Menendez' family upon his passing. Mayor Malfregeot reminded all that if they see something to say something and commended Councilmember Worth for his clean-up efforts in the southern part of the state. City Manager Fell expressed appreciation to Vice Mayor Riffle for his support of our youth by spearheading and coaching Jerry West Basketball.

There being no further business to come before Council, **Motion** by Councilmember Hyman, **Seconded** by Councilmember Worth and **Approved Unanimously** for adjournment.


Annette Wright, City Clerk


James L. Malfregeot, Mayor

APPROVED: March 20, 2025